

Notice of Allowability

Application No.

09/695,636

Examiner

Joon H. Hwang

Applicant(s)

DEGUCHI ET AL.

Art Unit

2166

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to a telephone interview with Surinder Sachar (Reg. No. 34,423) on 11/9/2006.
2. ☒ The allowed claim(s) is/are 1-4, 7-21 and 24-31 (renumbered as (1-27)).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>20061109</u> . |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date <u>8/23/06</u> | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

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DETAILED ACTION

1. The applicants requested for reconsideration in the amendment received on 8/23/06.

The pending claims are 1-42.

Response to Amendment

2. The declaration under 37 CFR 1.132 filed 8/23/06 is sufficient to overcome the rejection of claims 1-2, 4, 8-19, 21, 25-32, and 34-42 based upon 35 U.S.C. 102 and claims 3, 5-7, 20, 22-24, and 33 based upon 35 U.S.C. 103.

EXAMINER'S AMENDMENT

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.
4. Authorization for this examiner's amendment was given in a telephone interview with Surinder Sachar (Reg. No. 34,423) on 11/9/2006.
5. The application has been amended as follows:

Rewrite claim 1 as follows:

- "1. A searching system for searching broadcasted contents, the searching system having an inputting unit, a searching unit, and a terminal unit,

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wherein the inputting unit comprises:

first storing means for storing information representing at least time at which a content being broadcasted corresponding to a predetermined operation, said at least time is being identified while said content is being broadcasted; and

first communicating means for transmitting the information representing time stored in said first storing means to the terminal unit,

wherein the searching unit comprises:

second storing means for correlatively storing information representing contents and broadcast time thereof; and

searching means for searching information representing the contents stored in said second storing means corresponding to the information representing time, and

wherein the terminal unit comprises:

second communicating means for receiving the information representing time transmitted from the inputting unit through said first communicating means;

third communicating means for transmitting the information representing time received by said second communicating means to the searching unit and receiving search results transmitted from the searching unit; and

first displaying means for displaying the information representing time received by said second communicating means, the search results by the searching unit, and an indicator for activation at the terminal unit to cause downloading of contents associated with the search results,

wherein when the information representing time is received by said second communicating means, a transmission of the information representing time from the inputting unit to the terminal unit is virtually displayed,

wherein the inputting unit further comprises:

second displaying means for displaying entries of the information representing time stored in said first storing means, and

wherein when the information representing time is received by said second communicating means, the virtual display of said first displaying means of the terminal unit is correlated with the display of the entries of the information representing time displayed on said second displaying means of the inputting unit.”;

Rewrite claim 2 as follows:

“2. The searching system as set forth in claim 1,
wherein the information representing the contents includes information about contents.”;

Rewrite claim 3 as follows:

“3. The searching system as set forth in claim 1,
wherein the searching unit transmits information representing first contents broadcasted at the time represented by the information representing time and information representing second contents broadcasted earlier than the first contents as the search results to the terminal unit corresponding to the information representing

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time, an amount of the second contents being a multiple of an amount of the first contents.”;

Rewrite claim 4 as follows:

“4. The searching system as set forth in claim 1,
wherein when a predetermined operation is performed with the terminal unit corresponding to the search results obtained by said searching means and displayed on said first displaying means, the terminal unit is accessed to a site at which the contents as the search results are purchasable.”;

Cancel claim 5;

Cancel claim 6;

Rewrite claim 7 as follows:

“7. The searching system as set forth in claim 1,
wherein when a number of entries of the information representing time displayed on said second displaying means decrease, a number of entries of the information representing time displayed on said first displaying means increases.”;

Rewrite claim 8 as follows:

“8. The searching system as set forth in claim 1,

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wherein the terminal unit is an information terminal unit installed as a public unit.”;

Claim 9, line 1, delete [Claim 9: The searching system as set forth in claim 1,], and insert - - “9. The searching system as set forth in claim 1,” - -;

Rewrite claim 10 as follows:

“10. The searching system as set forth in claim 1,
wherein the broadcasted contents are a musical piece.”;

Claim 11, line 1, delete [Claim 11: The searching system as set forth in claim 10,], and insert - - “11. The searching system as set forth in claim 10,” - -;

Rewrite claim 12 as follows:

“12. The searching system as set forth in claim 1,
wherein the broadcasted contents are commodity information.”;

Rewrite claim 13 as follows:

“13. The searching system as set forth in claim 1,
wherein the searching unit further comprises:

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interface means for allowing information representing the contents stored in said second storing means and/or broadcast time of the contents stored in said second storing means to be changed from an external unit that has been properly filtered.”;

Rewrite claim 14 as follows:

“14. The searching system as set forth in claim 1,

wherein the inputting unit further comprises:

program storing means for storing a control program controlling the inputting unit,

and

wherein the control program is transmitted from the terminal unit to the inputting unit by said first communicating means and said second communicating means and stored to said program storing means.”;

Claim 15, line 1, delete [Claim 15: The searching system as set forth in claim 14,], and insert - - “15. The searching system as set forth in claim 14,” - -;

Claim 16, line 1, delete [Claim 16: The searching system as set forth in claim 14,], and insert - - “16. The searching system as set forth in claim 14,” - -;

Rewrite claim 17 as follows:

“17. The searching system as set forth in claim 14,

wherein the terminal unit further comprises:

reading means for reading data recorded on a predetermined record medium, and wherein the control program is read from the predetermined record medium by said reading means and transmitted to said inputting unit.”;

Rewrite claim 18 as follows:

“18. A terminal unit for searching broadcasted contents, comprising:

first communicating means for receiving time information representing a predetermined time from an inputting unit and transmitting the time information representing the predetermined time to an external unit, said predetermined time corresponding to a time at which a user-activated device was activated to record a time when contents were being broadcasted;

second communicating means for transmitting the time information representing the predetermined time received from said first communicating means to a searching unit and receiving search results from the searching unit, the searching unit searching information representing the contents from a storing means corresponding to the time information representing the predetermined time, the storing means correlatively storing information representing the contents and broadcast time thereof; and

displaying means for displaying the time information representing the predetermined time received by said first communicating means, the search results of the searching unit, and an indicator for activation at the terminal unit to cause downloading of contents associated with the search results,

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wherein when the time information representing the predetermined time is received from the inputting unit, said displaying means virtually displays a transmission of the time information representing the predetermined time from the inputting unit to the terminal unit,

wherein when the time information representing the predetermined time is received from the inputting unit, the virtual display of said displaying means of the terminal unit is correlated with a display of entries of the time information representing the predetermined time displayed on a second displaying means included in the inputting unit.”;

Rewrite claim 19 as follows:

“19. The terminal unit as set forth in claim 18,
wherein the information representing the contents includes information about contents.”;

Rewrite claim 20 as follows:

“20. The terminal unit as set forth in claim 18,
wherein said displaying means displays information representing first contents broadcasted at the time represented by the time information representing the predetermined time and information representing second contents broadcasted earlier than the first contents as the search results corresponding to the time information

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representing the predetermined time, an amount of the second contents being a multiple of an amount of the first contents.”;

Rewrite claim 21 as follows:

“21. The terminal unit as set forth in claim 18,

wherein when a predetermined operation is performed with the terminal unit corresponding to the search results obtained by said searching unit and displayed on said displaying means, the terminal unit is accessed to a site at which the contents as the search results are purchasable.”;

Cancel claim 22;

Cancel claim 23;

Rewrite claim 24 as follows:

“24. The terminal unit as set forth in claim 18,

wherein when a number of entries of the time information representing the predetermined time displayed on said second displaying means decreases, a number of entries of the time information representing the predetermined time displayed on said displaying means increases.”;

Rewrite claim 25 as follows:

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"25. The terminal unit as set forth in claim 18,
wherein the terminal unit is an information terminal unit installed as a public
unit.";

Claim 26, line 1, delete [Claim 26: The terminal unit as set forth in claim 18,], and
insert - - "26. The terminal unit as set forth in claim 18," - -;

Rewrite claim 27 as follows:

"27. The terminal unit as set forth in claim 18,
wherein the broadcasted contents are a musical piece,
wherein the terminal unit further comprises:
audio reproducing means for reproducing audio data, and
wherein when a predetermined operation is performed with the terminal unit
corresponding to the search results searched by said searching unit and displayed on
said displaying means, audio data corresponding to a musical piece as the search
results is requested to the searching unit and the audio data transmitted from the
searching unit is reproduced by said audio reproducing means.";

Claim 28, line 1, delete [Claim 28: The terminal unit as set forth in claim 18,], and
insert - - "28. The terminal unit as set forth in claim 18," - -;

Rewrite claim 29 as follows:

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"29. The terminal unit as set forth in claim 28,
wherein the control program is transmitted from the searching unit to the terminal unit and then transmitted from the terminal unit to the inputting unit by said first communicating means.";

Claim 30, line 1, delete [Claim 30: The terminal unit as set forth in claim 28,], and insert - - "30. The terminal unit as set forth in claim 28," - -;

Rewrite claim 31 as follows:

"31. The terminal unit as set forth in claim 28, further comprising:
reading means for reading data from a predetermined record medium, and
wherein the control program is read from the predetermined record medium by said reading means and transmitted to the inputting unit."; and

Cancel claims 32-42.

6. The pending claims are 1-4, 7-21, and 24-31.

Allowable Subject Matter

7. Claims 1-4, 7-21, and 24-31 are allowed.

Claims 1 and 18 identify the distinct features, displaying means for displaying an indicator for activation at the terminal unit to cause downloading of the

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contents associated with the search results that are based on a time stored when the contents were being broadcasted, wherein when the information representing the time is received from the inputting unit, said displaying means virtually displays a transmission of the information representing the time from the inputting unit to the terminal unit, wherein when the information representing the time is received from the inputting unit, the virtual display of said displaying means of the terminal unit is correlated with a display of the entries of the information representing the time displayed on a second displaying means included in the inputting unit, which are not taught or suggested by the prior art of records. The closest prior art, Deguchi (U.S. Patent No. 6,578,047) disclosing searching broadcasted contents based on time information stored in a portable device, fails to suggest the claimed limitations as mentioned above in combination with other claimed elements. The above features in conjunction with all other limitations of the dependent and independent claims 1-4, 7-21, and 24-31 are hereby allowed.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joon H. Hwang whose telephone number is 571-272-4036. The examiner can normally be reached on 9:30-6:00(M~F).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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11/9/06